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C.A.No. 7804 OF 1997

ITEM NO. 102

COURT NO. 3

SECTION:XIV

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 7804 OF 1997@
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U.O.I. & ORS. APPELLANT(S)

Versus

S.P.S. DHINDSA N.M. RESPONDENT(S)

(With office report)

WITH
CA No. 7805/1997 (With office report)
CA No. 7806/1997 (With office report)
CA No. 7807/1997 (With office report)
CA No. 7808/1997 (With appln. for restoration and office report)
CA No. 856/2001 (With office report)
SLP(Crl.) 1977/2001 (With appln. for stay)

Date: 23/08/2001 This appeal was called on for hearing today.

CORAM:
HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For appellant (s) Mr. Mukul Rohtagi, ASG.
Mr. M.N. Krishnamani, Sr. Adv.
Mr. P.P. Malhotra, Sr. Adv.
Ms. Indra Sawhney, Adv.
Mr. Hemant Sharma, Adv.
Ms. Smita Inna, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. C. Radhkrishna, Adv.
Ms. Anil Katiyar, Adv.

For Respondent in CA 7806 & 7807/97 Mr. Ranjit Kumar, Sr. Adv.
Ms. Kanwaljit Kochhar, Adv.
Ms. Sonal Mahajan, Adv.
Mr. S.C. Paul, Adv.
Mr. J.D. Jain, Adv.

CA 7804 & 7805/97 Mr. Uday Umesh Lalit, Adv.

CA 856/2001 Mr. AVijit Bhattacharjee, Adv.

CA 7807/1997 Mr. Jagdev Singh Manhas, Adv.

Intervenor in CA7808 Mr. K.S. Bhati, Adv.

in SLP (Crl.) 1977/01 Mr. Seeraj Bagga, Adv.
Ms. Shureshtha Bagga, Adv.

Mr. Arvind Kumar Sharma, Adv.

Mr. Ashok Kumar Sharma, Adv.

UPON hearing counsel, the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J

.SP2
CA. No. 7804/1997 is dismissed in terms of the signed order.
Rest of the matters be listed on 28th August, 2001 as part-heard.

.SP1
Kalyani. (S.L. GOYAL) @@
AA
COURT MASTER @@
A AA

(Signed Order is placed on the file.)

CIVIL APPEAL NO. 7804 OF 1997@@
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L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R

Union of India & Ors. Appellants

Versus

SPS Dhindsa N.M. Respondent

O R D E R@@
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.SP2

Without going into the correctness of the legal proposition engraved in this case, in view of the fact that there was a considerable delay in passing an order withholding the pension of the respondent the delay being to the extent of nearly one decade, we see no reason to interfere with the decision of the High Court qua the respondent-Ex-Commander SPS Dhindsa. Only on this ground, this appeal is dismissed.

.SP1

.....J
(B.N. KIRPAL)

.....J
(SHIVARAJ V. PATIL)

New Delhi,J
August 23, 2001. (P. VENKATARAMA REDDI)

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ITEM NO. 101(Part-heard) COURT NO. 3 SECTION:XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO. 7805 OF 1997@@
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UNION OF INDIA AND ORS. APPELLANT(S)

Versus

P.D. YADAV RESPONDENT(S)
(With office report)

WITH

C.A. NO. 7806/1997@@
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U.O.I. & ORS. APPELLANT(S)

Versus

B.S. AHLUWALIA RESPONDENT(S))
(With office report)

C.A. NO. 7807/1997@@
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U.O.I. & ORS. APPELLANT(S)

Versus

E.K. SUGATHAN RESPONDENT(S))
(With office report)

C.A. NO. 7808/1997@@
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U.O.I. & ORS. APPELLANT(S)

Versus

A.K. MALHOTRA RESPONDENT(S))
(With appln. for restoration and office report)

C.A. NO. 856/2001@@
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JC-116244 EX-SUBEDAR JOGINDER SINGH APPELLANT(S)

Versus

U.O.I. & ORS. RESPONDENT(S))
(With office report)

SLP(CRL.) 1977/2001@@
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UNION OF INDIA & ORS. APPELLANT(S)

Versus

BODUPALLI GOPALA SWAMI RESPONDENT(S))
(With appln. for stay)

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Date: 28/08/2001 These matters were called on for hearing today.

CORAM:

HON'BLE MR. JUSTICE B.N. KIRPAL
HON'BLE MR. JUSTICE SHIVARAJ V. PATIL
HON'BLE MR. JUSTICE P. VENKATARAMA REDDI

For Appellant (s) Mr. Mukul Rohtagi, ASG.
in appeals except Mr. M.N. Krishnamani, Sr. Adv.
CA 856/01 and SLP Ms. Indra Sawhney, Adv.

(Crl.) 1977/01 and
for Respondent(s)
in CA 856/01

Mr. Hemant Sharma, Adv.
Ms. Smita Inna, Adv.
Mr. B.V. Balaram Das, Adv.
Mr. C. Radhkrishna, Adv.
Ms. Anil Katiyar, Adv.
Mr. Arvind Kumar Sharma, Adv.

in CA 856/2001

Mr. Avijit Bhattacharjee, Adv. (NP)

For Respondent in
CA 7806 & 7808/97

Mr. Ranjit Kumar, Sr. Adv.
Ms. Kanwaljit Kochhar, Adv.
Mr. S.C. Paul, Adv.
Mr. Gurmeet Singh, Adv.
Ms. Sonal Mahajan, Adv.
Mr. J D Jain, Adv.
Mr. Ashok Kumar Sharma, Adv.

CA 7805/97

Mr. Harish Uppal, Adv.
Mr. Uday Umesh Lalit, Adv.

CA 7807/1997

Mr. Jagdev Singh Manhas, Adv.

in SLP (Crl.) 1977/01

Mr. Seeraj Bagga, Adv.
Ms. Shureshtha Bagga, Adv.

Applicant(s) in IAS
8 & 9 in CA 7808/97

Mr. K.S. Bhati, Adv.(NP)

UPON hearing counsel, the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....J

SLP(Crl.) No. 1977/2001 is delinked.

No orders on I.A. Nos. 8 and 9 in C.A. No.
7808/1997.

Arguments concluded.

Judgment reserved.

(D.P. WALIA)

(S.L. GOYAL) @@

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List of Books@@
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C.A. No. 7805/97 etc.etc.@@
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CAV on 28.8.2001@@
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1. Army Act and Rules.
2. Navy Act - AIR Manual Vo. 36 5th Ed.
3. Naval Regulations - Supplement to General Statutory Rules and Orders Vol. II.

4. 1995 Suppl. 1 SCC 221.
5. 2000 (5) SCC 742.
6. 1991 (2) SCC 371.
7. 1990 (4) SCC 314.
8. 1983 (2) SCR 165.
9. 1990 (Suppl.) SCC 640.
10. 2001 (5) SCC 593.
